

Gordon Rees Scully Mansukhani, LLP
300 South Fourth Street, Ste. 1550
Las Vegas, NV 89101

LORI N. BROWN
Nevada Bar No. 8858
GORDON REES SCULLY MANSUKHANI, LLP
300 South 4th Street, Ste. 1550
Las Vegas, NV 89101
Telephone: (702) 577-9300
Direct Line: (602) 794-3651
Facsimile: (702) 255-2858
Email: lbrown@grsm.com

Attorneys for Defendant
CHATTEM, INC.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KATHERINE KESTERSON, Individually
and as Special Administrator and Heir to the
Estate of SCOTT KESTERSON, Deceased;
and KATHERINE KESTERSON, as Parent
and Legal Guardian for minors, C.K and
H.K., Individually and as Heirs to the Estate
of SCOTT KESTERSON, Deceased,,

Plaintiffs,

vs.

BARRETTS MINERALS, INC; CHATTEM,
INC; (sued individually and as successor-in-
interest to BLOCK DRUG CORPORATION,
successor-in-interest to THE GOLD BOND
STERILIZING POWDER COMPANY);
a/k/a THE GOLD BOND COMPANY); PTI
UNION, LLC a/k/a PHARMA TECH
INDUSTRIES; SPECIALTY MINERALS
INC. (sued individually and as a subsidiary of
MINERALS TECHNOLOGIES INC.) and
DOES 1-450

Defendants.

CASE NO.: 2:21-cv-01179-JAD-EJY

**STIPULATION TO AMEND THE
SCHEDULING ORDER (Fourth
Request)**

Complaint Filed: May 19, 2021

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1 The Parties, having conferred, hereby stipulate and move this Court for an Order
 2 extending the pending deadlines for 60 days. In support of this Stipulation to Amend the
 3 Scheduling Order, the Parties state that there is good cause for this continuance as the Parties
 4 have limited expert discovery to complete, including expert depositions. In accordance with
 5 Local Rule 26-3, the following discovery has been completed:

- 6 1. The Parties exchanged initial disclosures;
- 7 2. The Parties engaged in written discovery, including document production and review;
- 8 3. Plaintiffs provided medical authorizations, records, and pathology materials to
 9 Defendants for review;
- 10 4. The Parties complete fact witness depositions;
- 11 5. Plaintiff

12 The Parties still need to complete the following discovery:

- 13 1. Earnings statements for Scott Kesterson and Katherine Kesterson
- 14 2. Social security disability income for Mr. Kesterson; and
- 15 3. Other information related to the Plaintiffs' claimed economic damages and medical
 16 records.

17 This discovery is needed before experts can complete their reports. The Parties will also
 18 need to complete the depositions of experts following the disclosure of their initial reports and
 19 rebuttal reports. The Parties anticipate needing a continuance of the current deadlines by 60
 20 days to complete the last remaining fact and expert discovery including coordinating
 21 depositions with experts availability. Both Plaintiffs and Defendants will continue to work
 22 diligently to accomplish and complete the last remaining discovery needed to bring this case to
 23 resolution with minimal burden on the Court.

24 The Parties believe there is good cause to move these deadlines, and do not make this
 25 motion for the purposes of delay. A proposed Amended Scheduling Order consistent with the
 26 below is filed concurrently herewith.

Event	Current Deadline	Proposed New Deadline
Expert Disclosure with Reports	October 4, 2022	December 5, 2022
Expert Rebuttal Disclosure	October 18, 2022	December 19, 2022
Fact and Expert Discovery Cutoff	November 15, 2022	January 17, 2023
Last day to file Dispositive Motions	December 13, 2023	February 13, 2023
Deadline to File Joint Pretrial Order	January 17, 2023	March 17, 2023

DATED this 25th day of October 2022.

**GORDON REES SCULLY
MANSUKHANI, LLP**

/s/ Lori N. Brown
LORI N. BROWN
Nevada Bar No. 8858
300 South 4th Street, Ste. 1550
Las Vegas, NV 89101
**Attorneys for Defendant,
CHATTEM, INC.**

DATED this 25th day of October 2022.

SIMON GREENSTONE

/s/ Albert Oganessian
ALBERT OGANESYAN, ESQ.
California Bar No. 285637
(Admitted Pro Hac Vice)
3780 Kilroy Airport Way, Ste. 450

Long Beach, CA 90806
**Attorneys for Plaintiff,
KATHERINE KESTERSON**

DATED this 25th day of October 2022.

ALVERSON TAYLOR & SANDERS

/s/ Omar Nagy
OMAR NAGY, ESQ.
Nevada Bar No. 15293
6605 Grand Montecito Parkway, Ste. 200
Las Vegas, NV 89149
**Attorneys for Defendant,
BARRETT'S MINERALS, INC.
SPECIALTY MINERALS, INC.**

IT IS SO ORDERED.


U.S. MAGISTRATE JUDGE

Dated: October 25, 2022